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March 30, 2006

**MEMORANDUM TO: CIRCUIT EXECUTIVES
 DISTRICT COURT EXECUTIVES
 CLERKS, UNITED STATES COURTS**

SUBJECT: Changes to Filing Fees (ACTION REQUESTED)

As noted in the Director's memorandum of March 24, 2006, the Deficit Reduction Act of 2005 (Pub. L. No. 109-171) included provisions that affect the filing fees for the appellate, district and bankruptcy courts. This legislation became law on February 8, 2006, and the fee increases will take effect for all new cases filed on or after April 9, 2006.

The fee changes are as follows:

- Court of Appeals - the fee for filing an appeal under Item 1 of the Court of Appeals Miscellaneous Fee Schedule will increase by \$200 to \$450.
- District Courts - the fee for filing a civil action under 28 U.S.C. §1914(a) will increase by \$100 to \$350.
- Bankruptcy Courts:
 - the statutory fee for filing a Chapter 7 bankruptcy case under 28 U.S.C. §1914(a)(1)(A) will increase by \$25 to \$245.
 - the statutory fee for filing a Chapter 13 bankruptcy case under 28 U.S.C. §1930(a)(1)(B) will increase by \$85 to \$235.

These incremental increases must be deposited into a new fund symbol - **086400**.

With regard to bankruptcy courts only, these fee changes also potentially impact certain other bankruptcy fees that are, in effect, linked to these new fees. However, the Judicial Conference, at its March 2006 session, approved a recommendation from the Court Administration and Case Management Committee, in consultation with the Bankruptcy Committee, that there be a stay in all such increases until these committees have had an opportunity to review the potential increases at their June meetings. **The fees that will remain as they were before April 9, 2006, are:** adversary proceeding in a bankruptcy case (remains at \$250); all bankruptcy case reopenings and splitting of a chapter (chapter 7 remains at \$220,

chapter 11 remains at \$1,000 and chapter 13 remains at \$150); fee for docketing an appeal (remains at \$250); and, chapter 15 bankruptcy proceedings (remain at \$1,039).

The fee increases to chapter 7 and chapter 13 filings will, however, impact the fee to convert either of them to a chapter 11 case, as prescribed by 28 U.S.C. § 1930 (a), as follows:


to convert a chapter 7 to a chapter 11: \$755 - the difference between the statutory filing fee for a chapter 11 (\$1,000) and the statutory fee for filing a chapter 7 case (\$245);

to convert a chapter 13 to a chapter 11: \$765 - the difference between the statutory filing fee for a chapter 11 (\$1,000) and the statutory fee for filing a chapter 13 case (\$235).

[Fee charts](#) that provide the accounting breakdowns for all fees, including those recently enacted, are now posted on the Policy and Guidance section of the Finance and Budget web page. We hope your financial departments find these useful in posting receipts to your automated system(s). Attached are instructions that outline the changes that are needed for the FAS₄T database which include adding the new fund (086400) and accounting template and changes to the security subsystem, as well as changes that need to be made to the Civil Criminal Accounting Module (CCAM), Cash Register System. Please share these attachments with those who have authorities to change the applicable tables in FAS₄T and CCAM.

Questions regarding this memo should be addressed to:

- Fee Chart Questions - Carolyn Bryson at 202-502-2019
- FAS₄T or CCAM Cash Register Questions - FAS₄T Help Desk at (210) 301-6320


Philip L. McKinney

Attachment

cc: Financial Administrators